

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Charles V. Richardson,

Case No. 3:15 CV 539

Petitioner,

ORDER ADOPTING  
REPORT AND RECOMMENDATION

-vs-

JUDGE JACK ZOUHARY

Bennie Kelly, *Warden*,

Respondent.

This Court has reviewed the Magistrate Judge's May 19, 2016 Report and Recommendation ("R&R") (Doc. 9). The R&R recommends the Petition for Writ of Habeas Corpus be dismissed with prejudice.

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to an R&R within fourteen (14) days of being served with the R&R. If a party timely objects, this Court reviews *de novo* the portions of the R&R to which objections were made. If a party does not timely object, the party waives *de novo* review by the district court. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005).

Richardson's deadline for filing objections has passed, and this Court received no requests for extension. The R&R accurately states the facts and law. This Court adopts the R&R in full.

The Petition (Doc. 1) is dismissed with prejudice. Further, this Court certifies an appeal from this decision could not be taken in good faith and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c).

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U.S. DISTRICT JUDGE

June 8, 2016